

Message Text

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ACTION DHA-02

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R 160920Z APR 76

FM AMEMBASSY BUJUMBURA

TO SECSTATE WASHDC 5354

INFO AMEMBASSY BRUSSELS UNN

AMEMBASSY DAR ES SALAAM UNN

AMEMBASSY KIGALI UNN

AMEMBASSY KINSHASA

US MISSION GENEVA UNN

USUN NEW YORK UNN

C O N F I D E N T I A L SECTION 1 OF 2 BUJUMBURA 320/1

E.O. 11652: GDS

TAGS: SHUM, PFOR, PINS, PINT, PORG, BY

SUBJECT: 1976 HUMAN RIGHTS SITUATION IN BURUNDI

REF: A) STATE 45319, B) BUJUMBURA A-14, FEB 27, 1975

1. TO SATISFY THE REQUIREMENTS OF REF A, PARAS 11 AND 12, WE HAVE REVIEWED THE HUMAN RIGHTS SITUATION IN BURUNDI WITH CONSIDERABLE CARE. THIS IS ALL THE MORE IMPORTANT TO US NOW, IN VIEW OF THE REAL POSSIBILITY THAT, IN FY 1977, BURUNDI MAY BECOME ONE OF THE COUNTRIES RECEIVING DEVELOPMENT ASSISTANCE. OUR CONCLUSION IS THAT THE EXHAUSTIVE REVIEW WHICH WE SUBMITTED LAST YEAR IN REF B REMAINS BOTH VALID AND CURRENT, WITH ALMOST NOTHING TO BE ADDED OR TAKEN AWAY. NONETHELESS, A FEW SALIENT POINTS ARE REPEATED HERE.

2. IT MUST BE EASY TO DEFINE HUMAN RIGHTS ON PAPER (EVEN ALLOWING FOR SOME CONTENTIOUS ISSUES), BECAUSE THE UNITED NATIONS AND MANY INDIVIDUAL COUNTRIES HAVE CHURNED OUT SHINING DOCUMENTS TO WHICH ALMOST EVERYONE GIVES LIP SERVICE.

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BURUNDI'S 1974 CONSTITUTION IS NO EXCEPTION, EVEN IF EVERY SOLEMNLY

GRANTED HUMAN AND CIVIC RIGHT IS QUALIFIED BY REFERENCES TO LAWS THAT DEFINE THE EXTENT OF THE RIGHT AND LIMIT ITS APPLICABILITY. THE PROBLEM IS, AS OUR OWN HISTORY HAS REPEATEDLY TAUGHT US, THAT HUMAN RIGHTS BECOME MEANINGFUL ONLY WHEN THEY HAVE TRULY ENTERED INTO THE FOLKWAYS, TRADITIONS, AND REGULARIZED INSTITUTIONAL PRACTICES OF A PEOPLE. OBVIOUSLY, THIS HAS NOT HAPPENED IN BURUNDI, WHERE THE VERY CONCEPT OF AN INDIVIDUAL'S INDEPENDENT EXISTENCE AND RIGHTS OUTSIDE OF, AND EVEN AGAINST, THE SOCIAL GROUP AND NATIONAL SOCIETY WHICH HAVE SPAWNED HIM IS A EUROPEAN IMPORTATION WITH HARDLY ANY, EVEN FLEDGLING, LOCAL ROOTS. THE VARIOUS JUDICIAL AND LEGAL PROTECTIONS CAN BE FOUND IN THE LAW BOOKS, BECAUSE THESE ARE PART OF THE VENEER OF MODERNITY WHICH A NEWLY SOVEREIGN AFRICAN STATE SUCH AS BURUNDI FEELS CONSTRAINED TO ADOPT, IF ONLY FOR WANT OF AN CONCEPTUAL ALTERNATIVE. HOWEVER, THE BEHAVIOR OF THE RULING ELITE IS ONLY MARGINALLY INFLUENCED BY THESE ALIEN FORMS, ESPECIALLY WHEN THERE ARE ANY SIGNIFICANT POWER POLITICAL CONSIDERATIONS INVOLVED IN A GIVEN CASE. BURUNDI IS AFTER ALL AN AUTHORITARIAN STATE WHOSE CONSTITUTION LACKS EVEN A NOD TO ANY DEMOCRATIC FORM.

3. UP TO THIS POINT, WHAT WE HAVE SAID PROBABLY DOES NOT MAKE BURUNDI OUT TO BE VERY DIFFERENT FROM 30 OR 40 OTHER AFRICAN NATIONS. BUT ALL OF THE POTENTIAL FOR HUMAN RIGHTS ABUSES INHERENT IN THE ABOVE-NOTED HISTORICAL AND PHILOSOPHICAL GAP IS MULTIPLIED BY THE OBJECTIVE CIRCUMSTANCE THAT BURUNDI'S RULING ELITE IS A 14 PERCENT TUTSI ETHNIC MINORITY, WHO EXERCISE TOTAL POWER OVER THE 85 PERCENT HUTU MAJORITY.

4. SUCH A SITUATION MUST INEVITABLY PRODUCE SOCIAL AND POLITICAL TENSIONS, WHICH MAKE THE RULING MINORITY HIGHLY SENSITIVE TO REAL OR EVEN IMAGINARY THREATS TO THEIR POWER. TO MAINTAIN THEIR POSITION, THEY MUST BE AT LEAST SOMEWHAT RUTHLESS, BECAUSE SOFTNESS MIGHT ALLOW THE UNDERDOG MAJORITY TO SET TRENDS IN MOTION TO MAJORITY RULE THAT COULD NOT BE STOPPED. THUS, WHATEVER PROCLIVITIES TO IGNORING OR VIOLATING HUMAN RIGHTS ARE INHERENT ANYWAY IN AN AFRICAN COUNTRY TURN OUT TO BE MULTIPLIED IN BURUNDI, WHERE THE RULING MINORITY CAN EASILY FEEL THAT THE MAINTENANCE OF ITS POWER POSITION AND PERHAPS ITS VERY ETHNIC EXISTENCE IS ALWAYS AT STAKE.

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5. THE HARSH REALITY OF THIS FACTOR WAS, OF COURSE, STARKLY EVIDENT IN THE 1972-73 PERIOD, WHEN, IN RESPONSE TO A HUTU-LED COUP ATTEMPT, THE THIRD IN SEVEN YEARS, THE TUTSI RULERS LAUNCHED A REIGN OF "SELECTIVE GENOCIDE" WHICH ELIMINATED 100,000 OR MORE HUTUS, PRIMARILY THOSE WITH MORE THAN THE MOST RUDIMENTARY EDUCATION WHO MIGHT EVEN REMOTELY JOIN A FUTURE HUTU ELITE. THE DENIAL OF HUMAN RIGHTS IN THOSE MONTHS WAS MASSIVE, BUT IT MUST EQUALLY BE SAID THAT, WITH THE GRADUAL RESTORATION OF NORMALCY, THERE IS

LESS AND LESS OVERT ETHNIC DISCRIMINATION AGAINST THE HUTUS. TO BE SURE, THEY ARE EXCLUDED TOTALLY FROM THE ARMED FORCES, BUT YOUNG MEN OF ABILITY ARE AGAIN MAKING THEIR WAY THROUGH THE EDUCATIONAL SYSTEM AND INTO POSITIONS IN THE MODERNIZED SECTOR OF THE ECONOMY. THIS IS STILL HAPPENING TO A DISPROPORTIONATELY SMALL SEGMENT OF THE HUTU MAJORITY, BUT IT CONFIRMS THE HYPOTHESIS THAT UNDER THE CONDITIONS OF DOMESTIC TRANQUILITY AND ORDER WHICH CURRENTLY PREVAIL, THE MORE MODERATE ELEMENTS OF THE TUTSI RULING GROUP WILL TRY TO PROMOTE INTER-ETHNIC NORMALIZATION AND EVEN CAUTIOUS RECONCILIATION WITH THE HUTUS.

6. IN REGARD TO HUMAN RIGHTS ASPECTS UNCONNECTED WITH ETHNIC DIFFERENCES, THERE ARE ALL SORTS OF RANDOM ABUSES. PEOPLE WHO INCUR THE DISPLEASURE OF THE PRESIDENT OR A MINISTER CAN BE JAILED AND HELD ARBITRARILY FOR INDEFINITE PERIODS WITHOUT TRIAL, BUT CAN ALSO BE RELEASED JUST AS CAPRICIOUSLY. SUCH ARRESTS GENERALLY REFLECT FEUDS WITHIN THE TUTSI ESTABLISHMENT. ORDINARY PEOPLE ARE ALWAYS SUBJECT TO THE WHIMS OF LOCAL OFFICIALS, AND THERE ARE UNDOUBTEDLY MANY CASES OF ABUSE OF AUTHORITY. SUCH ACTIONS, HOWEVER, ARE PROBABLY QUITE TRADITIONAL, AND THEY DO NOT REPRESENT ANY SYSTEMATIC CAMPAIGN OF HARASSMENT. COMMON

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AMEMBASSY KINSHASA UNN

US MISSION GENEVA UNN

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C O N F I D E N T I A L FINAL SECTION OF 2 BUJUMBURA 320/2

CRIMINALS ARE GENERALLY BEATEN AND THREATENED HARSHLY WHEN CAUGHT, BUT POLICE WORK IS TOO SPOTTY TO CONSTITUTE MORE THAN HAPHAZARD REPRESSION. IN ALL THESE RESPECTS, BURUNDI IS PROBABLY NOT MARKEDLY DIFFERENT FROM DOZENS OF OTHER COUNTRIES AROUND THE WORLD, INCLUDING MANY RECIPIENTS OF USG AID.

7. IN SUM, THE HUMAN RIGHTS SITUATION IN BURUNDI IS ONE THAT WOULD CAUSE HUGE DISTASTE AND COMPLAINT AMONG MOST AMERICANS AND WEST EUROPEANS, BUT WHICH IS NOT CONSIDERED PARTICULARLY STRANGE OR UNUSUALLY OPPRESSIVE BY THE GREAT BULK OF BURUNDIANS, EXCEPT IN REGARD TO TUTSI DOMINATION OF THE HUTUS. ON THAT SCORE, ONE CAN ONLY SAY THAT, AS THE CATASTROPHE OF FOUR YEARS AGO RECEDES SLOWLY FROM EVERYONE'S IMMEDIATE CONSCIOUSNESS, CONDITIONS FOR THE HUTUS ARE BEGINNING TO IMPROVE A BIT, AND THEY ARE NOT NOTICEABLY WORSE OFF THAN THE BULK OF POOR TUTSIS (SINCE ELITE TUTSIS TOO ARE ONLY A THIN LAYER ON TOP OF THEIR OWN ETHNIC GROUP). AMERICA'S INTEREST IN A SPREAD OF HUMAN RIGHTS IN BURUNDI MUST, THEREFORE, HAVE AS ITS TOP PRIORITY THE CONTINUATION OF PEACE AND ORDER, AND THE PROMOTION OF ECONOMIC DEVELOPMENT SO AS TO HELP RELAX THE SOCIAL TENSIONS AND PHYSICAL DISTRESS HERE. CONFIDENTIAL

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A JUDICIOUS APPLICATION OF AMERICAN AID TO PROMOTE THE WELFARE OF THE BULK OF THE POPULATION WOULD CERTAINLY DO MUCH MORE FOR IMPROVING THE QUALITY OF LIFE IN BURUNDI, INCLUDING ITS HUMAN RIGHTS ASPECTS, THAN ANY AMOUNT OF DECLAMATION AND CRITICISM OF HUMAN RIGHTS VIOLATIONS, HOWEVER VALID SUCH PRONOUNCEMENTS MIGHT BE. IT IS ONLY THROUGH THE CURRENT REGIME THAT CHANGE CAN COME TO BURUNDI, SINCE A SUCCESSFUL INTERNAL CHALLENGE TO ITS AUTHORITY FROM HUTU ELEMENTS NOW SEEMS EXTREMELY REMOTE. MARK

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